

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY

WILFREDO TORRES
CHIEF PROBATION OFFICER

THOMAS S. LARSON
SUPERVISING PROBATION OFFICER

December 19, 2011

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The Honorable Jose L. Linares
United States District Court Judge
Martin Luther King Jr, Federal Building and Courthouse
P.O. Box 0999
Newark, NJ 07102-0999

RE: U.S. v. Michael Valentine
Dkt. No. 03-00214-001
Notice of Non-Compliance

Dear Judge Linares:

On May 18, 2005, the above-referenced was sentenced by the Honorable William G. Bassler, Senior United States District Judge, to 77 months imprisonment followed by a five (5) year term of supervised release for the offense of Possession With Intent to Distribute Crack Cocaine. Valentine was ordered to abide by the special conditions of substance abuse treatment with urinalysis. Valentine's term of supervised release commenced on September 28, 2007. Due to Judge Bassler's retirement, the offender's case has been reassigned to Your Honor.

As Your Honor is aware, on May 25, 2010 the offender provided urine samples which tested positive for the use of marijuana. As a result of these violations, the offender completed a 500 word essay on how drugs have affected his life. Additionally, the probation department increased the frequency of urinalysis and evaluated the offender for substance abuse treatment.

In September 2011, a violation of supervised release was filed, due to the offender being arrested on September 23, 2011, for aggravated assault (domestic violence) by the Paterson Police Department. Although his violation hearing was originally scheduled for October 17, 2011, it was postponed in order to await the disposition of this case.

The purpose of this letter is to request the offender's violation of supervised release be withdrawn and his supervision be continued as ordinarily ordered. On November 2, 2011, Valentine's aggravated assault charge was dismissed by the Municipal Court of Paterson. Additionally, when questioned by probation, the offender has always denied assaulting his wife. The offender continues to reside with his wife, who stated she does not feel threatened by Valentine and denied any history of violence.

As always, we make ourselves available should the Court wish to discuss this matter. The undersigned can be contacted at (973)445-8528.

The probation office respectfully requests that the Court respond with a directive:

- Withdraw violation
 Submit a Request for Modifying the Conditions or Term of Supervision
 Submit a Request for Warrant or Summons
 Other

Very truly yours,

WILFREDO TORRES, Chief
U.S. Probation Officer

By: Kevin P. Egli *SEK*
U.S. Probation Officer

/kpe

SO ORDERED: *J. J. Torres*

DATED: 12/19/2011